

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-2196

NEWPORT NEWS SHIPBUILDING AND DRY DOCK
COMPANY,

Petitioner,

versus

ALVIN MINOR; DIRECTOR, OFFICE OF WORKERS'
COMPENSATION PROGRAMS, UNITED STATES
DEPARTMENT OF LABOR,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(02-850)

Submitted: March 31, 2004

Decided: December 15, 2004

Before WIDENER, LUTTIG, and MICHAEL, Circuit Judges.

Petition for review denied by unpublished per curiam opinion.

Christopher R. Hedrick, MASON, MASON, WALKER & HEDRICK, P.C.,
Newport News, Virginia, for Petitioner. John H. Klein, MONTAGNA
BREIT KLEIN CAMDEN, LLP, Norfolk, Virginia, for Respondent Minor.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Newport News Shipbuilding and Dry Dock Company seeks review of the Benefits Review Board's decision and order affirming the administrative law judge's finding that Alvin Minor was entitled to an additional permanent partial disability rating of six percent pursuant to § 8(c) of the Longshore and Harbor Workers' Compensation Act, 33 U.S.C. §§ 901-950 (2000). Our review of the record discloses that the Board's decision is based upon substantial evidence and is without reversible error. Accordingly, we affirm on the reasoning of the Board. See Newport News Shipbuilding & Dry Dock Co. v. Minor, BRB No. 02-0850 (BRB Aug. 27, 2003). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

The petition for review is accordingly

DENIED.